

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In the Matter of Federal-State)	
Joint Board on Universal Service)	
)	
Petition of the Wyoming Public Service)	CC Docket No. 96-45
Commission for Waiver of Filing Deadline)	
For Rate Comparability Certification)	
Pursuant to 47 C.F.R. § 54.313(d)(3))	

COMMENTS OF ALLTEL COMMUNICATIONS, LLC

Alltel Communications, LLC (“Alltel”) hereby submits these comments in response to the Commission’s February 28, 2008, Public Notice seeking comments on the Petition of the Wyoming Public Service Commission (“WY PSC”) for waiver of the filing deadline for the 2008 Residential Rate Comparability Certification under 47 C.F.R. § 54.313(d)(3). Absent such a waiver, certain Eligible Telecommunications Carriers (“ETCs”) within Wyoming, including Alltel, may be denied disbursement of High Cost Model support for the first quarter of 2008. It is apparent from a review of the WY PSC’s recitation of all the facts and circumstances surrounding the late filing of the 2008 Residential Rate Comparability Certification that good cause exists to waive section 54.313(d)(3) of the Commission’s rules which set forth the filing deadlines and allow timely disbursement of High Cost Model Support to the affected ETCs for the first quarter of 2008.

Pursuant to 47 C.F.R. § 54.313(d)(3) the 2008 Residential Rate Comparability Certification was required to be filed by October 1, 2007, in order to ensure continued and timely disbursement of High Cost Model support to Wyoming ETCs – whether

incumbent or competitive ETCs. However, due to certain administrative and procedural errors, explained by the WY PSC in its Waiver Petition, the filing was not made until December 26, 2008. When the delayed filing was ultimately brought to the attention of the WY PSC, affirmative and remedial action was taken to put in place procedural safeguards to ensure oversight of timely filings in the future.

The effect of the delayed filing may prevent or delay disbursement of High Cost Model Support for the first quarter of 2008 to individual ETCs within Wyoming who are otherwise entitled to the receipt of such support.¹ Moreover, the denial of such support ultimately results in the loss of investment of that support throughout the State of Wyoming for the deployment and maintenance of advanced telecommunication facilities and services for the benefit of Wyoming consumers. With respect to Alltel, denial of such support may result in the loss of substantial support that would otherwise be invested throughout Alltel's ETC service area in Wyoming.

Fortunately, 47 C.F.R. § 1.3 allows the commission to suspend or waive its rules for good cause shown. In this case, the failure to timely file was not due to any substantive problem with the filing but merely due to administrative oversight and human error. Granting a waiver in this instance does not expand or alter the support the affected ETCs would otherwise receive as a result of a timely filing– it merely ensures continued and timely receipt of support that the ETCs would otherwise be entitled to receive and invest throughout Wyoming absent the procedural/administrative errors which caused the delayed filing. A waiver ensures that the citizens of Wyoming will continue to receive the universal service opportunities provided for under the Act.

¹ The WY PSC timely filed its annual certification pursuant to 47 C.F.R § 54.313(a), that Alltel, and other Wyoming ETCs, were using federal universal service support funds only for the provision, maintenance and upgrading of facilities and services for which the support was intended.

Alltel respectfully requests that the Commission exercise its authority under 47 C.F.R § 1.3 and waive its rules regarding the timely filing of the Residential Rate Comparability Certification under 47 C.F.R § 54.313(d)(3) and allow the continued and timely disbursement of High Cost Model Support to the affected ETCs in Wyoming for the first quarter of 2008.

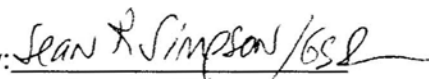
Respectfully Submitted,

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